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## ABSTRACT

The correlation between a noncustodial father and child poverty suggests that father involvement and support are critical pieces of the puzzle for reducing child poverty. Regular child support provides an income supplement to families leaving welfare and can prevent families' initial descent into poverty. This issue brief is intended to introduce child advocates to the demographics of low-income fathers, the initiatives aimed at increasing their payment of child support, and the resources available to support these initiatives. The brief also provides a context for assessing the potential of these initiatives to improve the well-being of children. Many noncustodial fathers are not "deadbeat" but "deadbroke," with 35 percent of the nation's 9.5 million noncustodial fathers categorized as low-income. The brief summarizes findings from the Parents' Fair Share (PFS) demonstration program, which indicated it had few significant effects on the employment and earnings of low-income men, and therefore on increased child support. Despite disappointing results of this project, the brief suggests policy and program changes from current methods of child support enforcement. These changes include: (1) ensuring that child support orders and arrears are consistent with ability to pay; (2) increasing child support pass-throughs and disregards; (3) subsidizing child support payments; (4) providing employment-related services to low-income noncustodial parents; and (5) extending the Earned Income Tax Credit to noncustodial fathers. Lastly, the brief summarizes state and federal funding sources for initiatives intended to improve the ability of low-income noncustodial fathers to support their children financially. (Contains 22 references and 45 notes.) (EV)

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## Low-Income Noncustodial Fathers: A Child Advocate's Guide to Helping Them Contribute to the Support of Their Children

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The role of noncustodial fathers in supporting their children has traditionally been recognized only in child support policy. Government has engaged in child support enforcement since the mid 1970s, primarily to recoup the cost of providing cash assistance to poor families. Policymakers have recently recognized that regular child support payments are an important income supplement to families transitioning off of welfare. The 1996 welfare reform law, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)<sup>6</sup>, bolstered child support enforcement. Since then, increasing numbers of federal and state policymakers have recognized that expanding eligibility for welfare benefits to low-income fathers may improve the employment prospects of these fathers and, thus, enable them to better support their children. The result is unprecedented sums of public money available to initiatives aimed at noncustodial fathers.

Regular child support provides an income supplement to families leaving welfare and can prevent families' initial descent into poverty. In 1995, 23% of AFDC families cited divorce or separation as the reason for their children's poverty.<sup>7</sup> Children benefit financially when fathers pay their support obligations, and children benefit emotionally from the involvement of their fathers in their lives.<sup>8</sup> Though it is not clear which is the cause and which is the effect, fathers who are actively involved in their children's lives are more likely to pay child support than are their uninvolved counterparts.<sup>9</sup>

This paper is intended to introduce child advocates to the demographics of low-income fathers, the initiatives aimed at increasing their payment of child support, the resources

Single "welfare mothers" dominate images of poverty. And for good reason: in 1996, single mothers and their children were 35% of the poverty population but only 10% of the total population.<sup>1</sup> Thus, it is no surprise that single mothers and their children make up over 85% of the welfare caseload.<sup>2</sup> The disproportionately high percentage of single mothers on welfare reflects a correlation between child poverty and father absence. In 1997, 75% of nonpoor children lived with their biological father, but only 35% of poor children lived with theirs.<sup>3</sup> The poverty rate for children in single-parent families was 46% in contrast to 10% in two-parent families.<sup>4</sup> Despite this correlation, welfare policy has long ignored the behavior of fathers in favor of attempts to alter the behavior and employment prospects of poor single mothers.<sup>5</sup>

available to support these initiatives, and provide a context for assessing their potential to improve the well-being of children. Fatherhood initiatives have yet to be proven effective in increasing the amount of money available to or well-being of children. Until they are more thoroughly evaluated, fatherhood initiatives should not be allowed to replace more proven methods of supplementing or growing the income available to low-income custodial families.

## Not Deadbeat but Deadbroke

The nation's child support system was designed to enforce payment by "deadbeat dads," fathers able but unwilling to financially support their children. As government collection efforts have become more sophisticated, collections have steadily increased. However, evidence suggests that 35% of the nation's 9.5 million noncustodial fathers are themselves low-income (have incomes below 200% of poverty). Three million are eligible for food stamps and 2 million lack full time, year round employment.<sup>10</sup> These fathers are not "deadbeat," but "deadbroke." Indeed, research suggests that these fathers would pay if they had adequate employment.<sup>11</sup>

Low-income noncustodial fathers face many of the same barriers to employment as "welfare mothers." They are disproportionately people of color, and many are poorly educated, lack literacy skills, have criminal records, or live far from employment opportunities. Some are incarcerated. Nonetheless, more than two-thirds of low-income noncustodial fathers work. However, their jobs are often low paying, lack benefits, or are temporary positions.<sup>12</sup>

The data suggests that most children of low-income mothers also have low-income noncustodial fathers. In 1990, about 2.2 million custodial mothers were poor and did not receive child support; a similar number of noncustodial fathers were low-income and failed to pay child support that same year. Furthermore, the demographic characteristics of poor custodial mothers are very similar to those of low-income noncustodial fathers. Both groups are young, disproportionately African-American, and have limited educational experiences.<sup>13</sup>

## Research Suggests That There Are No Easy Answers

In June 1995, President Clinton issued a memorandum encouraging the heads of executive departments and agencies to support the role of fathers in families.<sup>14</sup> This new federal emphasis on fatherhood combined with a desire to reduce the reliance of low-income mothers on public assistance increased support for initiatives aimed at improving the long-term earning potential of low-income noncustodial dads as a means of increasing payment of child support. Unfortunately, the limited research that has been done on supporting noncustodial parents suggests this to be no easy task.

Forty-three states report engaging in or planning strategies to help fathers be better economic providers for their children.<sup>15</sup> Many grassroots and faith-based organizations have long dedicated themselves to similar goals. Despite growing levels of interest and activity, Parents' Fair Share is the only program intended to improve the employment prospects and child support payments of noncustodial parents which has been rigorously evaluated.<sup>16</sup>

The Parents' Fair Share (PFS) Demonstration tested a new approach to child support enforcement for low-income fathers. In exchange for current and future cooperation with the child support system, a partnership of local organizations offered noncustodial fathers services designed to help them (1) find more stable and better-paying jobs, (2) pay child support on a consis-

tent basis, and (3) assume a fuller and more responsible parental role. Participating fathers were offered peer support, employment and training services, and voluntary mediation with the custodial parent. While parents participated in PFS services, the child support system temporarily lowered their obligation to pay support. When a parent found employment, child support enforcement staff were supposed to raise the support order to an appropriate level.

PFS was implemented in 7 sites<sup>17</sup> and involved more than two thousand participants.

Children live with parents, be it mom or dad. Policies designed to increase the income of the non-custodial parent are not only unproven but are also very indirect approaches to supporting children.

— Tamara Lucas Copeland, President, NACA

The Manpower Demonstration Research Corporation's (MDRC) evaluation of PFS reports that it had few significant effects on the employment and earnings of low-income men. MDRC has not yet released findings on whether PFS increased fathers' interactions with their children or their contribution of informal support. However, when child support officers conducted initial outreach and review prior to referral to PFS, noncustodial fathers made more payments to the child support agency than parents subject to traditional child support enforcement. The extra outreach and case review uncovered previously unreported employment, allowing the child support agency to institute wage withholding. Separate from the effects of this extra outreach effort, a larger number of parents referred to the PFS services paid child support than would have paid in the absence of access to the program. Across all seven sites combined, the number of parents who paid support during the follow-up quarters increased



by 4.5 - 7.5 percentage points. However, these impacts on child support were mainly the results of substantial impacts in three of the seven sites.<sup>18</sup> In some quarters there were also statistically significant increases in average payments in these three sites. In the remaining four sites, impacts on child support payments were sporadic and generally not statistically significant. Similarly, only in two sites<sup>19</sup>, did referral to PFS increase the percentage of parents who worked at some point during the follow-up, but no site produced a statistically significant increase in overall earnings. In summary, PFS produced small increases in the amount and likelihood of child support payments but without a corresponding increase in fathers' employment and earnings.

Despite disappointing results, the PFS evaluation suggests several policy and program changes from current methods of child support enforcement. The PFS intake and referral process increased the number of fathers making child support payments, suggesting that child support enforcement agencies should not discount the possibility of payments from parents without known employment. In addition, the sites experiencing the most success coordinated child support enforcement and social service delivery to a greater degree than did their less successful counterparts. Advocates should thus support investments in teambuilding and policies which encourage collaboration among agencies.

The PFS results also suggest a lack of "fit" between what PFS offered - peer support, job search, and training services - and the needs of many PFS participants. Many PFS participants were already employed. Those who were not already employed were usually more interested in immediate job search assistance than in skills building. In the

future, programs aimed at low-income noncustodial parents should experiment with new combinations of work and skill-building services to ensure that parents have their immediate need for income met as well as their long term need for wage progression.

### *Policy Options for Improving Likelihood of Child Support Payment*

**T**here are two categories of policy options for increasing child support payments reaching the custodial parent. The first category consists of reforms within the child support system and the second consists of interventions aimed more directly at noncustodial parents.<sup>20</sup>

#### *Child Support Enforcement Reforms*

*Ensure that Child Support Orders and Arrears are Consistent With Ability to Pay* - Judges do not always base child support awards on the income of the noncustodial parent. Unrealistic expectations of a father's ability to pay support orders or arrears may dissuade low-income fathers from entering the formal child support system. Child advocates should encourage lawmakers to assess whether child support enforcement policies treat low-income noncustodial fathers fairly. The following are examples of policies which take into account ability to pay: periodic reevaluations of the amount of the child support order, canceling arrears incurred while the father is incarcerated, or facilitating parental agreements to forgive arrears. Child advocates may also want to promote guidelines for establishment of child support orders that ensure that low-income noncustodial parents do not pay a greater percentage of their income than their higher income counterparts.<sup>21</sup>

*Increase Child Support Pass-Throughs and Disregards* - It is hypothesized that fathers are more willing to pay child support when they see a direct benefit for their children. However, most states currently retain at least a portion of child support payments made on behalf of custodial families receiving public assistance. State and federal government justify these policies as reimbursement for public assistance payments. The 1996 welfare law, PRWORA, repealed a requirement that states pass through and disregard the first \$50 in child support payments to custodial parents and their children receiving welfare before retaining any child support as reimbursement. "Pass-through" refers to the amount of child support collected that the state gives to the custodial parent. "Disregard" refers to the amount of child support ignored when calculating eligibility for or amount of cash assistance benefits. When child support is passed through, the direct benefit to the child(ren) is obvious to both the custodial and noncustodial parents. When payments are not made, children suffer. Disregarding part or all of the support effectively increases the amount of welfare benefits available to the custodial family.

Since the passage of welfare reform, thirty-three states have eliminated the pass-through completely. Wisconsin is the only state which passes through and disregards the entire amount of child support paid by the noncustodial father to the custodial mother and their children.<sup>22</sup> However, at least two bills have been introduced in the U.S. Senate which would encourage states to pass through child support collections to TANF families.<sup>23</sup>

In conjunction with an increased pass-through, states should expand their child support disregards, allowing custodial families to retain a greater per-

centage of child support paid. In calculating the cash assistance payment, the state could establish a fixed flat amount to be disregarded, provide a disregard equal to a specified percentage of the monthly child support collections (e.g., 50 percent) or combine these two approaches. Another possibility is for states to treat payments received from noncustodial parents in the same manner as they now treat the earnings of custodial parents, i.e., make them subject to the same income disregards.<sup>24</sup>

## *Subsidize Child Support Payments -*

If states matched the amount of child support paid by low-income fathers, it might increase the incentive for those fathers to pay their child support. Advocates could work with policymakers to determine the range of subsidy levels, the income range for eligibility of noncustodial parents, and a plan to phase out the subsidy as the noncustodial parents income rises.<sup>25</sup>

## *Interventions Aimed at Noncustodial Parents*

### *Provide Employment-Related Services to Low-Income Noncustodial Parents -*

Low-income noncustodial parents face many of the same barriers to employment as their custodial counterparts. However, until recently, many federally-funded job training programs were limited to custodial parents of children on welfare. Research suggests that low-income fathers who do not pay child support would pay if they had adequate employment.<sup>26</sup> If noncustodial fathers could raise their earnings through employment and training programs, it would improve their capacity to financially support their children.

*Extend the Earned Income Tax Credit to Noncustodial Fathers -* While our current tax system provides substantial tax relief to low-income working parents

who reside with their children, it offers no similar tax relief to noncustodial fathers who pay their child support. If noncustodial parents are financially responsible for their children, they should also receive any financial benefits related to having children.<sup>27</sup> NACA member Children's Defense Fund-Minnesota has been advocating for an expansion of their state's Working Family Tax Credit to noncustodial parents who pay their child support.<sup>28</sup>

## *Resources Available to Support Noncustodial Fathers*

Policymakers have recently turned their attention and some attendant funding to the support of low-income noncustodial fathers. Because little is known about effective programming to aid noncustodial fathers, child advocates should be wary of policies that divert funding from programs with a history of improving custodial family income to those aimed at noncustodial fathers. However, when funds are dedicated to fatherhood or noncustodial parent initiatives, child advocates should assist policymakers to develop programs which build on previous research. Furthermore, child advocates should encourage policymakers to devote the resources necessary to conduct rigorous evaluations of the programs so that what is learned can be incorporated into future program design. Child advocates should familiarize themselves with the sources of funding available to fatherhood initiatives so that they can understand any tradeoffs inherent in promoting these programs. The following section summarizes state and federal funding sources for initiatives intended to improve the ability of low-income noncustodial fathers to support their children financially.

## *Welfare to Work*

Support for noncustodial parents is currently available through the Department of Labor's (DOL) Welfare to Work (WtW) program.<sup>29</sup> In 1997, WtW was authorized to provide \$3 billion over two years to assist states and communities in moving the hardest-to-employ welfare recipients and noncustodial parent into unsubsidized jobs and economic self-sufficiency. In FY 1998, 40 of the 44 states receiving formula grants pledged to serve noncustodial parents with their state WtW funds. Several states, including Missouri, Wisconsin, and Nevada, have targeted all or a significant majority of their WtW funds to serve noncustodial parents. Fifty-four WtW competitive grants also serve noncustodial parents, with 21 focusing primarily on this population. In September, 1999, the DOL awarded a third round of competitive grants. At least 18 of the 64 grantees have pledged to serve noncustodial parents.<sup>30</sup> Congress recently passed legislation which expands eligibility criteria to allow WtW grantees to serve greater numbers of hard-to-employ welfare recipients and non-custodial parents of low-income children. Though generally supportive of expanding WtW eligibility criteria, progressive organizations have criticized the legislation for creating eligibility disparities favoring noncustodial parents, who are most often male, over custodial parents.<sup>31</sup>

## *Federal Temporary Assistance for Needy Families Funds*

In addition to WtW, it is also possible to serve noncustodial parents under the Temporary Assistance to Needy Families block grant (TANF). The final regulations clarified this somewhat, but substantial discretion remains in the hands of states.

Unless otherwise prohibited, a state may spend TANF funds in any manner reasonably calculated to accomplish a



purpose of TANF. The four purposes are to:

1. provide assistance to needy families so that the children may be cared for in their homes or in the homes of relatives;
2. end the dependency of needy parents on government benefits by promoting job preparation, work, and marriage;
3. prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and
4. encourage the formation and maintenance of two-parent families."

States may choose to serve noncustodial parents under any of the above.<sup>11</sup> The choice of purpose is important because programs under the first two require the recipient to be part of a needy family which, under some specific circumstances, could result in time limits, work participation, data reporting, and other requirements for the custodial parent. Below is a discussion of potential policy options available under each of the four purposes.

*Provide Assistance To Needy Families* - The first purpose of TANF authorizes the provision of assistance to needy families with children so that the children may be raised in their own homes or the homes of relatives. The US Department of Health and Human Services (HHS) has indicated that a state can include the noncustodial parent as part of an "eligible family" and may provide assistance to the noncustodial parent if they are part of an eligible family. It is important to note that states are allowed to define "eligible families." The federal government requires only that an eligible family

meet the relevant income and resource requirements established in the state's TANF plan and include a minor child residing with a parent or relative (or a pregnant individual).<sup>12</sup> States can choose whether or not to include the noncustodial parent as a member of the family.<sup>13</sup> Expenditures under this purpose would need to be targeted at keeping the child in its home, presumably through raising the child support payment.

*End the Dependency of Needy Parents On Government Benefits* - HHS has expressly stated that services to noncustodial parents can fall within the scope of the second purpose. This purpose permits states to help needy parents through activities that promote job preparation, work, and marriage including "job or career advancement activities, marriage counseling, refundable earned income tax credits, child care services, and employment services designed to increase the noncustodial parent's ability to pay child support."<sup>14</sup> Expenditures under the second purpose are limited to needy parents.<sup>15</sup> However, it is unclear, what, if any, services for noncustodial parents are encompassed within the second purpose that are not also encompassed in the broader fourth purpose which is not limited to "needy" parents.

*Prevent and Reduce the Incidence of Out-of-Wedlock Pregnancies* - Advocates may also wish to encourage their states to spend TANF money on noncustodial parents under the third purpose of TANF. HHS suggests that visiting nurses services, counseling, after-school programs, and pregnancy prevention campaigns might fall under this purpose.<sup>16</sup>

Advocates may be able to make the case that the promotion of employment opportunities could also reduce the likelihood of out of wedlock births. Many states already have programs aimed at reducing the incidence of out-of-wedlock pregnancies. For example,

Wyoming has developed a task force on unintended pregnancies and Oklahoma encourages state service agency staff to speak with and assist young fathers.<sup>17</sup> Advocates in states with existing programs may want to determine the current sources of funding for these program and assess whether additional TANF or maintenance of effort (MOE) funds might be available to

When funds are dedicated to noncustodial parent initiatives, child advocates should assist policy makers to develop programs which build on previous research and include resources for rigorous evaluations.

support the program(s) without diverting needed funds from programs more directly benefiting children. Advocates in other states may wish to determine whether sufficient TANF or MOE funding is available to initiate a program within their state or community.

*Encourage the Formation and Maintenance of Two-Parent Families* - It is generally assumed that the fourth goal will allow TANF funds to be spent on a wide variety of initiatives aimed at promoting responsible fatherhood and increasing the capacity of fathers to promote emotional and financial support for their children. These might include: parenting skills training, premarital and marriage counseling, mediation services, activities that promote parental access and visitation, and job placement and training services.<sup>18</sup> It is worth noting that expenditures under purposes 3 and 4 appear permissible whether or not the noncustodial parent is needy and whether or not the family is receiving



TANF assistance. However, if the benefit provided to the noncustodial parent falls within the TANF definition of "assistance," the benefit may only be provided if the noncustodial parent is a member of an "eligible family."<sup>41</sup> California currently has three pilot projects in place which work in conjunction with the District Attorney's offices to identify low-income noncustodial parents and provide them with employment and training services in the hopes of increasing the rate and level at which they pay child support.

In states where they perceive TANF funding to be sufficient, child advocates may wish to encourage the state to include noncustodial parents in their definition of "eligible families" and to provide them benefits. However, advocates should be aware that providing assistance to noncustodial parents may have consequences for TANF participation rates, sanctions, and time limits, particularly when the family would otherwise be classified as "child only" and when the noncustodial parent is the spouse of the head of household.<sup>42</sup>

## TANF Maintenance of Effort Funds

HHS has stated that states may expend MOE funds on noncustodial parents if the benefits can be reasonably calculated to accomplish one of the purposes of TANF and if the state has elected to include noncustodial parents in its definition of "eligible families."<sup>43</sup> Unlike federal TANF funds, MOE money can only be spent on families meeting the income and resource standards established by the state in its TANF plan.

## State Funds

The political momentum to support fathers is not limited to the federal level. States are increasingly supportive of

fatherhood initiatives. A recent survey by the National Center for Children in Poverty indicates that at least 38 states are supporting public awareness activities to promote responsible fatherhood. Forty-three states reported strategies to help fathers be better economic providers for their children, either by assisting low-income fathers with employment and training or by improving child support enforcement. And 36 states indicated they were implementing one or more initiatives to promote fathers as nurturers.<sup>44</sup> Child advocates should try to catalog the fatherhood initiatives in their state or community<sup>45</sup> and the sources of funding for each. Once advocates are knowledgeable

about existing fatherhood initiatives, they can encourage outreach to eligible participants and ensure that the programs are continuously updated to reflect new research. Child advocates should also be aware that, as politically popular programs, fatherhood initiatives may be consuming limited resources better spent on services directed at children or their custodial parents. However, child advocates will only be able to make such assessments once they are familiar with the breadth of programming available to low-income families (custodial and noncustodial) and with evaluations on the effectiveness of those programs in improving child well-being.

## Conclusion

The correlation between father absence and child poverty suggests that father involvement and support are critical pieces of the puzzle for reducing child poverty. Research indicates that many of the fathers who currently fail to pay child support are themselves low-income and, thus, are unable to meet their child support obligations. The past few years have seen growing political momentum in support of policies and programs aimed at low-income noncustodial fathers. The result is unprecedented sums of money available for fatherhood initiatives. Nonetheless, few of these initiatives have been proven to either increase the earnings of low-income noncustodial fathers or to increase their payment of child support.

Until fatherhood initiatives have been evaluated as successful, advocates for children should be wary of efforts to divert funding away from low-income custodial families to noncustodial fathers. However, where funding has been dedicated to noncustodial parents, child advocates should encourage the implementation of pilot programs with rigorous evaluation components. The programs should build on lessons that have been learned so far: combine work and skills-building activities, pass through child support to custodial families, and promote realistic child support obligations and arrearage policies. In addition to doing cost-benefit analyses, states should evaluate the impact of fatherhood initiatives on parental relationships, informal support (e.g., child care, in-kind contributions), father-child relationships, and children's well-being. Increasing the amount of income noncustodial fathers have available to support their children is one potential strategy for improving the well-being of children; however, it is, so far, unproven and, thus, should not be allowed to replace more tried and true methods of supplementing or growing the income available to low-income custodial families. Child advocates should encourage policymakers to see fatherhood initiatives for what they are: a new weapon available in the war against child poverty.



## Selected Resources

Bernard, Stanley. *Responsible Fatherhood and Welfare: How States Can Use the New Law to Help Children*. National Center for Children in Poverty, 1998. <http://cpmcnet.columbia.edu/dept/nccp>.

Bernard, Stanley and Jane Knitzer. *Map and Track, State Initiatives to Encourage Responsible Fatherhood*. National Center for Children in Poverty, 1999. <http://cpmcnet.columbia.edu/dept/nccp>.

*Building Opportunities, Enforcing Obligations: Implementation and Interim Impacts of Parents' Fair Share*. Manpower Demonstration Research Corporation, October, 1999. <http://www.mdrc.org/Reports/Parents%20Fair%20Share/WEB-PFS-ExecSumm.html>

*Child Support an Uncertain Income Supplement for Families Leaving Welfare*. Government Accounting Office, August 1998. GAO/HEHS 98-168. [http://www.access.gpo.gov/su\\_docs/acces/acces160.shtml](http://www.access.gpo.gov/su_docs/acces/acces160.shtml).

*Child Support Enforcement: Effects of Declining Welfare Caseloads Are Beginning to Emerge*. Government Accounting Office, June 1999. GAO/HEHS 99-105. <http://www.gao.gov/reports.htm>

Garfinkel, Irwin, Sara S. McLanahan, Daniel R. Meyer, and Judith A. Seltzer, eds. *Fathers under Fire: The Revolution in Child Support Enforcement*. Russell Sage Foundation, 1998. <http://www.russellsage.org/publications>.

Greenberg, Mark, Paula Roberts, Steve Savner, and Vicki Turetsky. *Child Support Assurance: A New Opportunity in the Black Court Structure*. Center for Law and Social Policy, May 1997. <http://www.clasp.org/pubs/childassurance/csabgs.html>

*Helping Families Achieve Self-Sufficiency: A Guide on Funding Services for Children and Families through the TANF Program*. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, 1999. <http://www.aclf.dhhs.gov/programs/ofa/funds2.htm>.

*The New York State Child Assistance Program: Five-Year Impacts, Costs, and Benefits*. Abt Associates Inc. for New York State Department of Social Services, November 6, 1996. Ph: 617/492-7100.

Perry, Tina Marie and Leslie Anne Argenta. *Child Support Assurance: Overcoming Political Barriers*. Center for Law and Social Policy, May 1997. <http://www.clasp.org/pubs/childassurance/manual2.html>

Primus, Wendell and Chanta L. Castro. *A State Strategy for Increasing Child Support Payments from Low-Income Fathers and Improving the Well-Being of Their Children Through Economic Incentives*. Center on Budget and Policy Priorities, April 14, 1999. <http://www.cbpp.org/4-14-99wei.htm>

Reichert, Dana. *Broke But Not Deadbeat: Reconnecting Low-Income Fathers and Children*. National Conference of State Legislatures, 1999. Ph: 303/830-2200.

Roberts, Paula. *Ending Poverty As We Know It: The Case for Child Support Enforcement and Assurance*. Center for Law and Social Policy, May 1994. Ph: 202/328-5140.

Roberts, Paula. *Guidance from the Federal Government on Implementation of the Child Support Related Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 as Amended by the Balanced Budget Act of 1997 and the Child Support Performance and Incentive Act of 1998*. Center for Law and Social Policy, 1999. <http://www.clasp.org/pubs/childrenforce/fedguid4/guidance+tmj.PDF>.

Roberts, Paula. *Kellogg Devolution Initiative Paper - Beyond Welfare: The Case for Child Support Assurance*. Center for Law and Social Policy, 1999. <http://www.clasp.org/pubs/childassurance/CLSApaper.htm>

Roberts, Paula. "Memorandum: Final TANF Regulations Regarding Child Support Assignment and Cooperation and Distribution of Support Collections." Center for Law and Social Policy, April 26, 1999. <http://www.clasp.org/pubs/childrenforce/supaward.htm>.

Roberts, Paula. "Memorandum: Setting Support When the Noncustodial Parent is Low Income." Center for Law and Social Policy, February 8, 1999.

Sorenson, Elaine and Ariel Halpern. *Child Support Enforcement is Working Better Than We Think*. The Urban Institute, April 1999. [http://www.urban.org/family/sf\\_2.html](http://www.urban.org/family/sf_2.html)

Sorenson, Elaine. *Obligating Dads: Helping Low-Income Noncustodial Fathers Do More for their Children*. The Urban Institute, 1999. [http://www.urban.org/family/sf\\_2.html](http://www.urban.org/family/sf_2.html).

Turetsky, Vicki. *You Get What You Pay For: How Federal and State Investment Decisions Affect Child Support Performance*. Center for Law and Social Policy, December 1998. <http://www.clasp.org/pubs/childrenforce/ncsea2.htm>.

Wheaton, Laura and Elaine Sorenson. *Noncustodial Parents, Child Support, and the Earned Income Tax Credit*. The Urban Institute, November 1997. <http://www.urban.org/tax/etc.htm>

*Working With Low-Income Cases: Lessons for the Child Support Enforcement System from Parents' Fair Share*. Manpower Demonstration Research Corporation, <http://aspe.hhs.gov/hsp/isp/pfs/lowinc/toc.htm>.



## Endnotes

- 1 1998 Green Book, Committee on Ways and Means, US House of Representatives, May 19, 1999, p. 1299.
- 2 1998 Green Book, p. 540.
- 3 Talking Points for Raymond J. Uhalde, Deputy Assistant Secretary for Labor for Employment and Training at the International Fatherhood Conference Focusing on the Future of Fatherhood, June, 1999.
- 4 1998 Green Book, pp. 1285-1287.
- 5 In 1989 David Ellwood published *Poor Support: Poverty in the American Family* which encouraged the extension of employment and training assistance to low-income noncustodial parents. Ellwood also proposed a system of child support assurance. President Clinton included many of the policies proposed by Ellwood in his welfare plan, however, the plan failed to garner the Congressional support necessary for passage.
- 6 Public Law 104-193.
- 7 1998 Green Book, p. 464.
- 8 "Fathers of Children on Welfare: Their Impact on Child Well-Being," *American Journal of Orthopsychiatry*, Oct. 1996, Vol. 66, no. 4.
- 9 The following studies use joint custody or visitation rights as an indication of father involvement, an admittedly imperfect indicator: Lydia Secon Rogers, *Child Support for Custodial Mothers and Fathers*, 1995, US Dept. of Commerce, Economics and Statistics Administration, Current Population Reports, March 1999, J.A. Arditti, "Differences Between Fathers With Joint Custody and Noncustodial Fathers," *American Journal of Orthopsychiatry*, Vol. 62, 1992, J.P. Pearson and N. Thoennes, "Supporting Children After Divorce: The Influence of Custody on Support Levels and Payments," *Family Law Quarterly*, Vol. 22, 1988.
- 10 Elaine Sorenson, *Obligating Dads: Helping Low-Income Noncustodial Fathers Do More for Their Children*, Urban Institute, p. 1.
- 11 D.O. Ash, *Face to Face with Fathers: A Report on Low-Income Fathers and Their Experience with Child Support Enforcement*, Center on Fathers, Families, and Public Policy, 1997 and K.E. Sherwood and M.L. Sullivan, *Caring and Paying: What Fathers and Mothers Say About Child Support*, Manpower Demonstration Research Corporation, 1992 cited in Bernard and Knitzer, 1999.
- 12 Sorenson, p. 1, Uhalde.
- 13 Sorenson, p. 1.
- 14 Cited in *Nurturing Fatherhood: Improving Data and Research on Male Fertility, Family Formation and Fatherhood*, by the Federal Interagency Forum on Child and Family Statistics, June 1998.
- 15 Stanley Bernard and Jane Knitzer *Map and Track, State Initiatives to Encourage Responsible Fatherhood*, National Center for Children in Poverty, 1999, pp. 13-14. It should be noted that many of the "fatherhood initiatives" identified by states are, in fact, technical measures aimed at increasing child support or are broad-based media campaigns which provide no economic or employment support to low-income fathers.
- 16 *Building Opportunities, Enforcing Obligations: Implementation and Interim Impacts of Parents' Fair Share*, Manpower Demonstration Research Corporation, 1998.
- 17 Los Angeles County, CA, Duval County, FL (Jacksonville), Hampden County, MA (Springfield), Kent County, MI (Grand Rapids), Mercer County, NJ (Trenton), Montgomery County, OH (Dayton), Shelby County, TN (Memphis).
- 18 Dayton, Grand Rapids, and Los Angeles.
- 19 Dayton and Los Angeles.
- 20 Other child support reforms do not focus on noncustodial parents and, thus, are not reviewed in this piece. Information on these reforms can be found in many of the resources listed in the bibliography.
- 21 Sorenson, pp. 2 and 5. For example, many state guidelines cap the income subject to child support payments and require minimum payments for any parent.
- 22 Initial findings from a random assignment evaluation of Wisconsin's Child Support Demonstration have not yet found consistently significant differences in the likelihood of noncustodial parents paying child support or paying more child support. However, there have been statistically significant increases in the amount of child support received by custodial parents. *Initial Findings from the W-2 Child Support Demonstration Evaluation*, Institute for Research on Poverty, July, 1999, p. 65.
- 23 S. 1036 introduced by Senator Herbert Kohl (D-WI) and S. 1364 introduced by Senators Evan Bayh (D-IN) and Pete Domenici (R-NM).
- 24 Sorenson, pp. 4-5; Wendell Primus and Charita Castro, *A State Strategy for Increasing Child Support Payments from Low-Income Fathers and Improving the Well-Being of Their Children Through Economic Incentives*, Center on Budget and Policy Priorities, April 14, 1999, pp. 3-4.
- 25 For more information about implementing a subsidy system for child support payments, please refer to *A State Strategy for Increasing Child Support Payments from Low-Income Fathers and Improving the Well-Being of Their Children Through Economic Incentives*, Center on Budget and Policy Priorities, April 14, 1999.
- 26 D.O. Ash, *Face to Face with Fathers: A Report on Low-Income Fathers and Their Experience with Child Support Enforcement*, Center on Fathers, Families, and Public Policy, 1997 and K.E. Sherwood and M.L. Sullivan, *Caring and Paying: What Fathers and Mothers Say About Child Support*, Manpower Demonstration Research Corporation, 1992 cited in Bernard and Knitzer, 1999, p. 57.
- 27 For more information about expanding the Earned Income Tax Credit to Noncustodial Parents, please refer to *Tax Relief for Low-Income Fathers Who Pay Child Support* by Laura Wheaton and Elaine Sorenson, Urban Institute, January 1998.
- 28 For more information, please contact Rosemary Frank, 651/227-6121.
- 29 42 U.S.C. 603(a)(5)(C)(ii); 20 C.F.R. 645.211.
- 30 Summaries of the grantees' programs are available on-line at <http://www.doleta.gov/competitive/round3/summaries.htm>.
- 31 In order to be eligible for WtW assistance, custodial parents must be current or former welfare recipients; however, noncustodial parents are required only to be "unemployed, underemployed, or having difficulty in paying child support obligations" and a parent of a minor child eligible for public assistance. Conference Report on HR 3194, Consolidated Appropriations Act, 2000, Title VIII, Sec. 801. Studies indicate that many job training programs have historically tended to prioritize placement of men, to place men in positions with greater future prospects, and to relegate women to "traditional" women's work with lower pay and less opportunity for advancement. See *Job Training Partnership Act: Racial and Gender Disparities in Services* (GAO 1991) and Sylvia A. Law, "Women, Work, Welfare and the Preservation of Patriarchy," 131 U. Pa. L. Rev. 1249, 1261-67 (1983).
- 32 *Helping Families Achieve Self-Sufficiency: a Guide on Funding Services for Children and Families through the TANF Program*, Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, 1999, p. ii.
- 33 In addition, it might be allowable for states to justify TANF expenditures on NCTs because they were previously authorized under prior IV-A or IV-E programs.
- 34 *Helping Families Achieve Self-Sufficiency*, p. 14.
- 35 64 Fed. Reg. 17823.
- 36 *Helping Families Achieve Self-Sufficiency*, p. 10.
- 37 HHS defines "needy" as "financially needy under the objective criteria for need specified in the State's TANF plan" (*Helping Families Achieve Self-Sufficiency*, p. 3).
- 38 *Helping Families Achieve Self-Sufficiency*, p. 11.
- 39 Bernard and Knitzer, p. 47.
- 40 *Helping Families Achieve Self-Sufficiency*, p. 12.
- 41 64 Fed. Reg. 17823.
- 42 64 Fed. Reg. 17824.
- 43 64 Fed. Reg. 17823-17825.
- 44 Bernard and Knitzer, pp. 13-14.
- 45 The state pages in *Map and Track, State Initiatives to Encourage Responsible Fatherhood* by Bernard and Knitzer serve as a good starting point.

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